

California Department of Insurance

Fraud Division

July 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

July 2010 Workers' Compensation Fraud Convictions

CDI Case Number: 08JW004213

County: Los Angeles

Defendant: Jimmy Henry Barahona

City/County of Residence: Los Angeles/Los Angeles

Conviction Date: 07/06/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$5,000

Sentence: 1 Day County Jail, 100 Hours Community Service, 5 Years Formal Probation, \$5,000 Restitution, \$200 Civil Fine

CDI Case Number: 07EW007198

County: San Diego

Defendant: Arturo Candela

City/County of Residence: Escondido/San Diego

Conviction Date: 07/29/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$11,459.58

Sentence: 1 Day County Jail, 3 Years Summary Probation, \$11,459.58 Restitution, \$200 Civil Fine, \$800 Criminal Fine

Case Number: 2010005055

County: Ventura

Defendant: Diane Mildred Cull

City/County of Residence: Simi Valley/Ventura

Conviction Date: 07/13/10

Offense: 2 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: TBD

Sentence: 36 Months Conditional Probation, TBD Restitution, \$100 Civil Fine

CDI Case Number: 09AW019161

County: Amador (convicted by Placer County Superior Court)

Defendant: Cory Dennis Earles

City/County of Residence: Colfax/Placer

Conviction Date: 07/26/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 Year Conditional Probation, \$1,500 Criminal Fine

CDI Case Name: Chance's Tree Service
CDI Case Number: 07FW019671
County: Kern
Defendant: Chance Ebersole
City/County of Residence: Bakersfield/Kern
Conviction Date: 07/01/10
Offense: 1 Count of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$115,220.31
Sentence: 180 Days County Jail, (Stayed until 01/18/2011), 3 Years Formal Probation, \$115,220.31 Restitution, \$200 Civil Fine

Case Number: TCM238205
County: Tulare
Defendant: Steven French
City/County of Residence: Visalia/Tulare
Conviction Date: 07/21/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$4,940 Criminal Fine

CDI Case Name: Operation Flint
CDI Case Number: 10AW002253
County: El Dorado
Defendant: Renee Marie Habedank
City/County of Residence: Placerville/El Dorado
Conviction Date: 07/19/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$100 Civil Fine, \$840 Criminal Fine

Case Number: BA368532
County: Los Angeles
Defendant: Richard Thomas Marquis, Jr.
City/County of Residence: Not available at this time
Conviction Date: 07/23/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$131,379
Sentence: 3 Years State Prison (Suspended), 120 Hours community Service, 5 Years Formal Probation, \$131,379 Restitution, \$200 Civil Fine

CDI Case Number: 08AW021164
County: San Joaquin
Defendant: Guadalupe Linan Mejia
City/County of Residence: Selma/Fresno
Conviction Date: 07/28/10
Offense: 1 Count of IC 1871.4(a) (False Claim); 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)
Amount Allegedly Defrauded: \$3,000
Sentence: 5 Years Conditional Probation, \$3,000 Restitution, \$200 Civil Fine

CDI Case Name: Morales Tire
CDI Case Number: 10HW003009
County: San Bernardino
Defendant: Walter Justo Morales
City/County of Residence: Rialto/San Bernardino
Conviction Date: 07/01/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 40 Hours Work Sentence Program, 36 Months Conditional Probation, \$3,300
Restitution, \$10,000 Criminal Fine (\$7,000 suspended upon successful completion of probation)

Case Number: 20080397 FA
County: Ventura
Defendant: James Ronald Nuciforo
City/County of Residence: Camarillo/Ventura
Conviction Date: 07/22/10
Offense: 1 Count of IC 11880(a) (Premium Fraud); 2 Counts of IC 11760(a) (Misrepresent Facts to Obtain Workers' Compensation)
Amount Allegedly Defrauded: \$517,433
Sentence: 180 Days County Jail, 36 Months Formal Probation, \$517,433 Restitution, \$200 Civil Fine, \$134 Monthly Formal Probation Fee

CDI Case Number: 09AW019161
County: Amador (convicted by Placer County Superior Court)
Defendant: Daniel Frank Richardson
City/County of Residence: Auburn/Placer
Conviction Date: 07/29/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Year Conditional Probation, \$2,500 Criminal Fine

Case Number: 2010023000
County: Ventura
Defendant: Reynaldo Rodriguez
City/County of Residence: Oxnard/Ventura
Conviction Date: 07/29/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Conditional Probation, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 09BW018366
County: Marin
Defendant: Josefina Samperio
City/County of Residence: San Rafael/Marin
Conviction Date: 07/29/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 20 Days County Jail, 100 Hours Community Service, 3 Years Supervised Probation, TBD Restitution, \$500 Civil Fine, \$10,000 Criminal Fine (\$5,000 Stayed pending successful completion of probation)

CDI Case Name: DJ's Lounge
CDI Case Number: 10HW006132
County: San Bernardino
Defendant: Donna Fay Spina
City/County of Residence: Ontario/San Bernardino
Conviction Date: 07/22/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Conditional Probation, \$110 Civil Fine, \$10,000 Criminal Fine (\$8,000 Suspended)

Case Number: BA180434
County: Los Angeles
Defendant: Christian Alexis Urrutia
City/County of Residence: Not available at this time
Conviction Date: 07/01/10
Offense: 3 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$2,908.54
Sentence: 118 Days County Jail, 3 Years Formal Probation, \$2,908.54 Restitution, \$200 Civil Fine